

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JO ANN FONZONE AKA JUDY MC GRATH,
PLAINTIFF,

CIVIL ACTION
JURY TRIAL DEMANDED

VS.

NO. 12-CV-5726

JOE OTERI, ET AL ,
DEFENDANTS

MOTION FOR STAY OF PROCEEDINGS FOR CONTINUATION OF INCIDENT CAUSED
INJURIES

Plaintiff, Jo Ann Fonzone aka Judy Mc Grath, by and through her attorney Jo Ann Fonzone, Esq.
hereby respectfully requests that this Court grant a six month Stay of Proceedings on this
personal injury action, and in support avers:

Plaintiff was the seriously injured victim on October 6, 2010 during the two separate incidents at
Citizens Bank Park at issue in this action. The first incident occurred at about 5:45 p.m. outside in
stadium seating area when defendant Oteri, without warning, approached, grabbed her right arm,
pulled, pushed and assaulted Plaintiff, resulting in her head being pushed into the back of the seat,
and her landing on the cement ground. Rather than getting her medical help, he brought a male
police officer to the scene, with a version of the incident, most likely very far from the truth.

The second incident, which occurred at 6:15 p.m. When Plaintiff was handcuffed in the jail cell
room, was evidenced by the 911 call to police for help after officer Kelewischky threw her against
the wall the first time. After he learned Plaintiff had called 911 for help, enraged Kelewischky
reentered the room, again threw Fonzone against the wall, then repeatedly struck her chest with his
nightstick demanding she give him her cell phone. Presumably he thought it was a camera phone.

From the incident with defendant Oteri, Fonzone suffered injuries to her right hand, arm, shoulder, and head trauma. The trauma to her head caused a seizure while in the Emergency room, and a concussion. Plaintiff also suffers from tinnitus, chronic headaches, and PBA as a result of the traumatic brain injury.

From the incident with defendant Kelewischky, Plaintiff suffered traumatic and debilitating disabling injuries to her chest, a cardiac contusion, palpitations, chest pressure and pain, atrial fibrillation, pericardial effusion, reduction in EF, shallow breathing, shortness of breath, atrial enlargement, left and right, damage to her sternum. Future damages are unknown.

From both incidents, Plaintiff suffers from PTSD and battered women syndrome.

Through the years, Plaintiff has been treating with her exceptional primary care physician.

Plaintiff is still treating for the injuries, damages and injury caused heart condition. Plaintiff was very sick for six weeks from January to February 22, 2016 as she had very bad side effects from the heart medication.

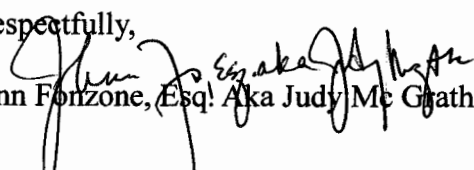
The episodes of sickness from the heart condition or its treatment are more frequent as the condition worsens with time, rendering Plaintiff physically unable to do the legal work required of this injury action. Plaintiff has tried to keep up with deadlines; but there are too many damages.

In addition, Plaintiff treated with neurologist and physical therapy for the head trauma caused headaches and concussion. Plaintiff will be treating for the head trauma caused tinnitus.

Moreover, Plaintiff is being treated by an orthopaedic physician for the injuries, pain and damages to her right shoulder, arm, and sternum.

WHEREFORE Plaintiff respectfully requests a stay of proceedings in this action which disabled her in order to secure co-counsel.

03/07/16

Respectfully,

Jo Ann Fonzone, Esq. Aka Judy Mc Grath

CERTIFICATE OF SERVICE

I Jo Ann Fonzone aka Judy Mc Grath hereby certify that I have caused to be served a true and correct copy of the Motion for Stay of Proceedings to the parties as set forth below:

Motion to Object to ^{AND} VI DEPTARE DEPOSITION

Phila. Law Department
Aaron Shotland, Esq.
1515 Arch St. , 14th floor
Phila., Pa 19102

By:

Jo Ann Fonzone aka Judy McGrath
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03/17/16

*PA inactive disabled
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LEHIGH VALLEY PA, 180

15 MAR 2015 PM 11



The United States District Court
Eastern District of PA
601 Market St.
Philadelphia, PA 19106

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